

COUNTY COUNCIL
OF
HARFORD COUNTY, MARYLAND

BILL NO. 95-42

Introduced by Council President Parrott
at the request of the County Executive
Legislative Day No. 95-19 Date June 13, 1995

AN ACT to add new Section 256-45.5, Biological Nutrient Removal Fee, to Article V, Capital Charges, of Chapter 256, Water and Sewers, of the Harford County Code, as amended; to establish a fee to recover the capital construction costs of installing the biological nutrient removal process at the Sod Run Wastewater Treatment Plant and to further provide that the funds received shall be dedicated to pay the principal and interest incurred by the County for this construction.

By the Council, June 13, 1995

Introduced, read first time, ordered posted and public hearing scheduled
on: July 11, 1995
at: 6:00 p.m.

By Order: *Josephine*, Secretary

PUBLIC HEARING

Having been posted and notice of time and place of hearing and title of Bill having been published according to the Charter, a public hearing was held on July 11, 1995, and concluded on, July 11, 1995

Josephine, Secretary

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW. [Brackets] indicate matter deleted from existing law. Underlining indicates language added to Bill by amendment. Language lined through indicates matter stricken out of Bill by amendment.

1 WHEREAS, THE CHESAPEAKE BAY IS ONE OF HARFORD COUNTY'S MOST
2 VALUABLE RESOURCES; AND

3 WHEREAS, THE CHESAPEAKE BAY IS CURRENTLY OVERLOADED WITH
4 NUTRIENTS; AND

5 WHEREAS, HARFORD COUNTY IS COMMITTED TO AN ENVIRONMENTALLY
6 SAFE CHESAPEAKE BAY; AND

7 WHEREAS, THE REDUCTION IN NUTRIENTS DISCHARGED INTO THE
8 CHESAPEAKE BAY IS BENEFICIAL TO ALL HARFORD COUNTY RESIDENTS; AND

9 WHEREAS, HARFORD COUNTY IS ENGAGED IN REDUCING NUTRIENTS BY
10 MEANS OF INSTALLING THE CAPABILITY TO PROCESS BIOLOGICAL NUTRIENTS
11 IN WASTEWATER AT SOD RUN; AND

12 WHEREAS, TO RECOVER THE CAPITAL CONSTRUCTION FOR BIOLOGICAL
13 NUTRIENT REMOVAL THE FOLLOWING BNR FEE IS ESTABLISHED; AND

14 WHEREAS, THE ACT CONFORMS TO THE REQUIREMENTS OF LAW FOR
15 ESTABLISHING PAYMENT FOR CAPITAL INDEBTEDNESS; AND

16 NOW, THEREFORE,

17 SECTION 1. BE IT ENACTED BY THE COUNTY COUNCIL OF HARFORD COUNTY,
18 MARYLAND, THAT NEW §256.45.5 BIOLOGICAL NUTRIENT REMOVAL (BNR) FEE
19 BE AND IT IS HEREBY ADDED TO ARTICLE V, CAPITAL CHARGES, OF CHAPTER
20 256, WATER AND SEWERS OF THE HARFORD COUNTY CODE, AS AMENDED TO
21 READ AS FOLLOWS:

22 §256.45.5 BIOLOGICAL NUTRIENT REMOVAL FEE

23 A. A BIOLOGICAL NUTRIENT REMOVAL (BNR) FEE IS HEREBY
24 ESTABLISHED AS AN ADDITIONAL FEE CHARGED TO THE FOLLOWING HARFORD
25 COUNTY SEWER SYSTEM CUSTOMERS:

26 1. ALL RESIDENTIAL, COMMERCIAL AND INDUSTRIAL SEWER

1 CUSTOMERS, WITH THE EXCEPTION OF SPRING MEADOWS, SWAN CREEK AND
2 HARFORD SYSTEM CUSTOMERS, WHO ARE CONNECTED TO THE HARFORD COUNTY
3 SEWER SYSTEM WHO PAY A QUARTERLY USAGE CHARGE FOR SEWER SERVICE;

4 2. ALL CUSTOMERS, WITH THE EXCEPTION OF SPRING MEADOWS,
5 SWAN CREEK AND HARFORD SYSTEM CUSTOMERS, WHO ARE CONNECTED TO THE
6 HARFORD COUNTY SEWER SYSTEM AND WHO PAY A FLAT RATE SEWER CHARGE
7 FOR THE SERVICE;

8 3. ALL CUSTOMERS THAT ARE CONNECTED TO THE HARFORD
9 COUNTY SEWER SYSTEM THAT PAY A WHOLESALE SEWER USAGE CHARGE FOR THE
10 SERVICE;

11 4. ALL CUSTOMERS THAT PAY A SEPTAGE USER CHARGE;

12 5. ALL CUSTOMERS THAT ARE CONNECTED TO THE HARFORD
13 COUNTY SEWER SYSTEM THAT PAY A SEWER USAGE CHARGE PURSUANT TO A
14 MUNICIPAL CONTRACT.

15 6. ANY CURRENT OR FUTURE CUSTOMER, WITH THE EXCEPTION
16 OF SPRING MEADOWS, SWAN CREEK AND HARFORD SYSTEM CUSTOMERS, THAT
17 RECEIVES SEWER SERVICE OR SEWAGE DISPOSAL SERVICE FROM HARFORD
18 COUNTY.

19 B. THE BNR FEE SHALL BE CALCULATED AS FOLLOWS:

20 1. TERMS:

21 A. ANNUAL BNR DEBT PAYMENT - THE ANNUAL DEBT
22 PAYMENT THAT HARFORD COUNTY INCURS TO REPAY THE CAPITAL
23 CONSTRUCTION COSTS TO INSTALL THE BIOLOGICAL NUTRIENT REMOVAL
24 PROCESS AT THE SOD RUN WASTEWATER TREATMENT PLANT.

25 B. ANNUAL BILLABLE SEWER USAGE - THE TOTAL ANNUAL
26 AMOUNT OF SEWAGE DELIVERED TO THE SOD RUN WASTEWATER TREATMENT

1 PLANT FOR WHICH THE COUNTY BILLS ITS CUSTOMERS, BASED IN FISCAL
2 YEARS AND EXPRESSED IN THOUSANDS OF GALLONS. THE PREVIOUS FISCAL
3 YEAR'S ANNUAL BILLABLE SEWER USAGE SHALL BE USED IN CALCULATING THE
4 BNR FEE FOR THE CURRENT FISCAL YEAR.

5 C. BNR FEE - THE FEE, EXPRESSED IN DOLLARS PER
6 1,000 GALLONS, CHARGED TO EACH CUSTOMER SHALL NOT EXCEED \$.25 PER
7 1,000 GALLONS.

8 D. BNR CHARGE - THE TOTAL AMOUNT BILLED TO EACH
9 CUSTOMER BASED UPON THE CUSTOMER'S SEWER USAGE.

10 2. BNR FEE FORMULA IS STATED:
11 ANNUAL BNR DEBT PAYMENT ÷ ANNUAL BILLABLE SEWER USAGE = BNR FEE
12 (\$/1,000 GALS.)

13 3. APPLICATION OF THE BNR FEE:

14 A. EACH CUSTOMER'S QUARTERLY SEWER BILL SHALL
15 INCLUDE A BNR CHARGE CALCULATED AS FOLLOWS:

16 CUSTOMER'S QUARTERLY SEWER USAGE X BNR FEE = BNR CHARGE

17 B. FOR CUSTOMERS WHO ARE SUBJECT TO A FLAT RATE
18 SEWER CHARGE, THE BNR CHARGE SHALL BE CALCULATED AS FOLLOWS:

19 18,000 GAL. X BNR FEE = BNR CHARGE

20 4. YEARLY RECALCULATION OF THE BNR FEE:

21 THE BNR FEE SHALL BE RECALCULATED ANNUALLY AT THE
22 BEGINNING OF EACH NEW FISCAL YEAR. THE ANNUAL BILLABLE SEWER USAGE
23 FOR THE PREVIOUS FISCAL YEAR SHALL BE USED TO CALCULATE THE CURRENT
24 FISCAL YEAR'S BNR FEE.

25 5. EFFECTIVE START DATE OF THE BNR FEE:

26 THE BNR FEE SHALL BE APPLIED BEGINNING IN THE FIRST

1 QUARTERLY BILLING CYCLE AFTER THE CAPABILITY FOR BIOLOGICAL
2 NUTRIENT REMOVAL HAS BEEN INSTALLED AT SOD RUN WASTEWATER TREATMENT
3 PLANT AND HAS BEEN DECLARED OPERATIONAL. IF THE ANNUAL BNR DEBT
4 PAYMENT IS NOT FINALIZED BY THE EFFECTIVE START DATE, AN ESTIMATED
5 ANNUAL BNR DEBT PAYMENT SHALL BE USED.

6 6. TERM FOR THE BNR FEE:


7 THE BNR FEE SHALL REMAIN IN EFFECT UNTIL THE TOTAL
8 DEBT SERVICE IS RETIRED FOR THE BIOLOGICAL NUTRIENT REMOVAL CAPITAL
9 CONSTRUCTION PROJECT.

10 7. THE BNR FEE RECEIVED SHALL BE DEDICATED TO PAY THE
11 PRINCIPAL AND INTEREST INCURRED BY THE COUNTY FOR THE CONSTRUCTION
12 OF THE BIOLOGICAL NUTRIENT REMOVAL PROCESS.

13 SECTION 2. AND BE IT FURTHER ENACTED THAT THIS ACT SHALL TAKE
14 EFFECT SIXTY (60) CALENDAR DAYS FROM THE DATE IT BECOMES LAW.

15 EFFECTIVE: October 2, 1995

16 *The Secretary of the Council does*
17 *hereby certify that fifteen (15) copies of*
18 *this Bill are immediately available for*
19 *distribution to the public and the press.*

20 
21 _____
22 Secretary
23

(Brief Title) Establish Sewer BNR Fee

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is herewith submitted to the County Council of Harford County for enrollment as being the text as finally passed.

CERTIFIED TRUE AND CORRECT

ENROLLED

Secretary of the Council

President of the Council

Date 7/18/95

Date _____

BY THE COUNCIL

Read the third time.

Passed: LSD 95-22 (July 18, 1995)

Failed of Passage:

By Order

~~Secretary~~

Sealed with the County Seal and presented to the County Executive
for approval this 20th day of July, 1995 at 3:00 p.m.

~~Secretary~~

BY THE EXECUTIVE

COUNTY EXECUTIVE

APPROVED: Date August 1, 1995

BY THE COUNCIL

This Bill (No. 95-42), having been approved by the Executive and returned to the Council, becomes law on August 1, 1995.

Secretary

EFFECTIVE DATE: October 2, 1995